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<b>TRANSMITTAL FORM</b>	Application Number	10/760,445
	Filing Date	January 20, 2004
	First Named Inventor	Brockman
	Art Unit	3671
	Examiner Name	Petravick
(to be used for all correspondence after initial filing)		
Total Number of Pages in This Submission		Attorney Docket Number DB-101US


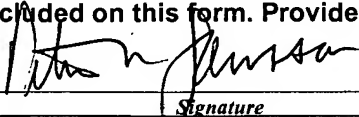
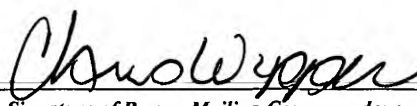
ENCLOSURES (Check all that apply)		
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Firm Name	Jansson, Shupe, Munger & Antaramian, Ltd.		
Signature			
Printed name	Peter N. Jansson		
Date	February 24, 2006	Reg. No.	26,185

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<b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>				Docket No. <b>DB-101US</b>	
Applicant(s): <b>Brockman</b>					
Application No. <b>10/760,445</b>	Filing Date <b>01/20/04</b>	Examiner <b>M. Petravick</b>	Customer No. <b>24314</b>	Group Art Unit <b>3671</b>	Confirmation No. <b>9240</b>
Invention: <b>Cherry-Harvesting Apparatus and Method</b>					
 <b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	35 -	36 =	0	x \$25.00	\$0.00
INDEP. CLAIMS	3 -	4 =	0	x \$100.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. <b>10-0270</b> in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <b>10-0270</b> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 _____ Signature			Dated: <b>February 24, 2006</b>		
<b>Peter N. Jansson, Reg. No. 26,185</b> <b>Jansson, Shupe, Munger &amp; Antaramian, Ltd.</b> <b>245 Main Street</b> <b>Racine, WI 53403</b> <b>262/632-6900</b>			I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <b>February 24, 2006</b> _____ (Date)  _____ Signature of Person Mailing Correspondence <b>Chris Wipper</b> _____ Typed or Printed Name of Person Mailing Correspondence		
CC:					



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Danial William Brockman

Attorney Docket No. DB-101US

Serial No. 10/760,445

Group Art Unit: 3671

Filed: January 1, 2004

Examiner: Meredith C. Petravick

Title: CRANBERRY HARVESTING APPARATUS AND METHOD

\* \* \* \* \*

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE**

Sir:

This is responsive to the non-final Office Action mailed January 25, 2006. The response is timely filed pursuant to 37 CFR § 1.7(a).

Claims 1-20 and 29-44 are pending in the application.

The Office Action of January 25, 2006 asserts that two invention groups are presented, as follows:

- Group I – claims 1-20, 29-33, and 38-44; and
- Group II – claims 34-37.

The undersigned notes the Examiner's indication that the restriction is between apparatus claims and method claims. However, applicant points out that claim 36 is an apparatus claim dependent on independent apparatus claim 29, and so applicant assumes the restriction requirement imposed is intended by the Examiner to be as follows:

February 24, 2006

- Group I – claims 1-20, 29-33, 36 and 38-44; and
- Group II – claims 34-35 and 37.

Applicant elects the Group I with traverse, and requests that the restriction requirement be lifted and examination of all claims continue as has been the case until now, for the reasons given below.

For the Examiner's convenience, a **Listing of Claims** begins on page 3.

**Remarks** begin on page 10.